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MEDIA RELEASE

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| DATE: September 9, 2022 | CONTACT: |
| TIME: 10:00 AM | PHONE: |
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| SUBJECT: 22PD16041 Officer-Involved Shooting |  @EauClairePD |

Officer-Involved Shooting – UPDATE

On September 4, 2022, Eau Claire Police Department officers discharged their firearms striking a man who had armed himself during a domestic disturbance.

Per Eau Claire Police Department policy, investigations of this nature are investigated by an outside law enforcement agency. The Wisconsin Department of Justice – Division of Criminal Investigations (WI DOJ DCI) is currently investigating this incident.

The subject involved has been identified as Clayton T. Livingston DOB 10/19/1984.

The officers involved in the shooting are Officer Sam Sperry, a five-year veteran of the department and Officer Tre Johnson, a two-year veteran of the department.

The initial investigation has determined officers responded to the 1900 block of Declaration Drive for a domestic disturbance. While officers were attempting to set up a perimeter, a witness reported an argument between Livingston and a female inside of an open garage. Additionally, the witness relayed Livingston was holding a firearm and pointed it in the direction of a neighbor's home.

Officer Tre Johnson spoke directly with the witness via phone so responding officers could receive direct updates as they formulated their approach to the residence. Information relayed indicated the female was in the garage with Livingston. Additional information was provided that Livingston was aiming his firearm. Based on the information of the active argument involving a firearm, officers intervened for the safety of the female and neighboring residents.

Upon approach, officers identified themselves and ordered Livingston to drop his firearm. Livingston turned and pointed his firearm at the officers while in a shooting stance. Officers responded by discharging their firearms, striking Livingston. Once safe to do so, officers moved in and provided Livingston emergency care. Livingston was later transported to a hospital and remains in stable condition. The female was located inside of the residence, unharmed.

In accordance with department policy and best practice, the officers are on administrative assignment pending review of the investigation. In addition to the WI DOJ DCI investigation, an internal administrative review of this incident will be conducted. The results of both investigations will include a full disclosure of the investigation and community review.

Please direct all media inquiries regarding this incident to the Wisconsin Department of Justice.

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